



Administration for Children and Families

Administration on Developmental Disabilities

**Help America Vote Act (HAVA) Grants to Protection
and Advocacy Systems (P&A)**

HHS-2001-ACF-ADD-VOTEP-0200

Application Due Date: 08/10/2011

**U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES
ADMINISTRATION FOR CHILDREN & FAMILIES**

Program Office: Administration on Developmental Disabilities

Funding Opportunity Number: HHS-2011-ACF-ADD-VOTEP-0200

Funding Opportunity Title: Help America Vote Act (HAVA) –
Payments to Protection and Advocacy
Systems (P&As)

CFDA Number: 93.617

Due Date for Applications: 08/10/2011

Executive Summary:

Availability of Fiscal Year 2011 Funds under the Help America Vote Act (HAVA), Pub.L. 107-252 Payments for Protection and Advocacy Systems (P&A).

The purposes of this Funding Opportunity Announcement (FOA) are: 1) to set forth the conditions placed upon the Protection and Advocacy Systems (P&As) receiving funds under HAVA, and 2) to require P&As to agree to the assurances in writing prior to receiving funds.

Statutory Authority:

This program is authorized by sections 291 and 292 of HAVA, 42 U.S.C. §§ 15461-62.

PART I: INTRODUCTION

The Help America Vote Act (HAVA), signed into law by President George W. Bush on October 29, 2002, contains several provisions that will enable State and local units of government responsible for elections and individuals associated with operating the election process to establish, expand, and improve access to and participation in the election process by individuals with the full range of disabilities (e.g., visual impairments, including blindness; hearing impairments, including deafness; the full range of mobility impairments including gross and fine motor impairments, emotional impairments, and intellectual impairments.)

A. BACKGROUND

In April 2011, Congress appropriated \$12,129,692 for the Voting Access for Individuals with Disabilities (VOTE) grant program for States and \$5,245,488 for payments for P&A

grant program. HAVA assigned responsibility for VOTE to the Secretary of Health and Human Services (the Secretary), who has delegated responsibility for carrying out this program to the Administration for Children and Families (ACF). In addition to the VOTE grant program, HAVA, also authorizes the Secretary to pay the P&As (as defined in section 102 of the DD Act) of each State to ensure full participation in the electoral process by individuals with disabilities, including registering to vote, casting a vote, and accessing polling places.

B. ELIGIBLE GRANTEES

Protection and Advocacy Systems (P&As) of each State and Territory under the DD Act are the only eligible grantees.

C. USE OF FUNDS

Section 291 of HAVA provides that funds be made available to the P&As of each State and Territory to ensure full participation in the electoral process for individuals with disabilities, including registering to vote, casting a vote, and accessing polling places. Grant funds are for the purpose of providing services to individuals with disabilities within the State, as well as education and advocacy that ensure the full participation of individuals with disabilities in the electoral process.

As provided by Section 292(a), none of the HAVA funds provided to a P&A may be used to initiate or otherwise participate in any litigation connected to election-related disability access, notwithstanding the general authorities that the P&As are otherwise afforded under Subtitle C of Title I of the DD Act.

P&As are strongly encouraged to use the funds to provide education, training and assistance to individuals with disabilities that will promote their participation in the electoral process. Such activities include, but are not limited to, education regarding voter registration, providing individuals with disabilities the opportunity to register to vote, providing education to individuals with disabilities regarding their legal rights that pertain to voting, providing assistance to individuals with disabilities in accessing the polls on Election Day.

P&As may use grant funds to participate in advocacy and education efforts revolving around all HAVA implementation efforts in their State or Territory. Such activities may include, but are not limited to, participation on the HAVA State Planning Committee, any subcommittees or coalition efforts regarding the State Plan, review of the work of the Committee, providing comments regarding the State Plan, and review, advocacy, and education concerning the enactment of HAVA State legislation.

P&As may participate in the training and education of election officials, poll workers and election volunteers regarding the rights of the voters with disabilities and best practices in working with individuals with disabilities. Training and education activities may include,

but are not limited to, providing training and participating in the development of training and education programs for election officials and poll workers.

P&As may use the grant funds to assist individuals with disabilities in filing complaints under the State-based administrative grievance procedure required by HAVA and to represent individuals with disabilities in any hearings that may be held regarding the complaint.

P&As may provide assistance to States and other governmental entities regarding the physical accessibility of polling places, such as surveying polling places, identifying potential modifications to make specific polling places accessible and developing criteria for identifying accessible polling places.

P&As may use the funds to obtain training and technical assistance on voting issues, including education regarding accessible voting equipment and systems. Once educated in this matter, P&As may use this information to inform others of the availability of accessible voting equipment and its use.

D. AVAILABILITY AND DISTRIBUTION OF FUNDS

Congress appropriated \$5,245,488 for the P&A grant program for Federal Fiscal Year (FY) 2011. These funds will be distributed in the following manner:

Approximately \$367,184 (seven percent of the appropriated amount) must be set aside for payment to eligible entities to provide training and technical assistance to the P&As with respect to the activities carried out under section 291.

The remainder of the 2011 appropriation, approximately \$4,878,304 will be distributed to the P&As, as described below:

Section 291(b) provides that the funds available for distribution to the P&As under the HAVA program will be allotted as follows:

The funds (approximately \$4,878,304) will be allotted proportionately among the States and Territories based on the ratio of the State's population to the population of all States, as set forth in subsections c(3), c(4), and c(5), (e), and (g) of section 509 of the Rehabilitation Act of 1973 (29 U.S.C. 794e), except that no State or the District of Columbia or the Commonwealth of Puerto Rico shall receive less than \$70,000 and no Territory will receive less than \$35,000.

Attachment A, found in *Part IV* of this FOA, provides the estimated allocations for each State and Territory.

PART II: PAYMENT APPLICATION INSTRUCTIONS

The P&As may submit the required information in the format of its choice addressing the seven areas of emphasis in which the Help America Vote Act (HAVA) funds should be used. Funds for the P&As are used to provide education, training and assistance to individuals with disabilities that will promote their participation in the electoral process in seven different areas.

The eligible grantee must provide:

- *The name of the Protection and Advocacy (P&A) System submitting the application.*
- *The name of the Executive Director and/or Certifying Official of the P&A submitting the application.*
- *Contact person: Name, title, address, phone, fax, and e-mail address.*
- *A description of what the applicant intends to do in each of the seven (7) areas. The seven areas include:*

Area 1

- ❖ To ensure full participation in the electoral process for individuals with disabilities
 - Activities may include, but are not limited to registering to vote, casting a vote, and accessing polling places.

Area 2

- ❖ To provide education, training and assistance to individuals with disabilities that will promote their participation in the electoral process.
 - Activities may include, but are not limited to education regarding voter registration, providing individuals with disabilities information regarding their legal rights that pertain to voting, and providing assistance to individuals with disabilities in accessing the polls on Election Day.

Area 3

- ❖ Participate in advocacy and education efforts revolving around HAVA implementation efforts in their State or Territory.
 - Activities may include, but are not limited to participation on HAVA State Planning Committee, subcommittee or coalition efforts regarding the State Plan, and review, advocacy, and education concerning the enactment of HAVA State Legislation.

Area 4

- ❖ Training and education of election officials, poll workers, and election volunteers regarding the rights of voters with disabilities and best practices in working with individuals with disabilities.

- Activities may include, but are not limited to providing training and participating in the development of training education programs for election officials and poll workers.

Area 5

- ❖ To assist individuals with disabilities in filing complaints under the State-based administrative grievance procedure required by HAA and represent individuals with disabilities in any hearing that may be held regarding the complaint.

Area 6

- ❖ To provide assistance to States and other governmental entities regarding the physical accessibility of polling places.
 - Activities may include, but are not limited to surveying polling places, identifying potential modifications to make specific polling places accessible, and developing criteria for identifying accessible polling places.

Area 7

- ❖ To obtain training and technical assistance on voting issues, including education regarding accessible voting equipment and systems. Once educated, the information may be used to inform others of the availability of accessible voting equipment and its use.
 - *How much of the payment the applicant intends to spend on each of the seven (7) areas.*
 - *An assurance that no later than December 31^s, the Executive Director or his/her designee will submit a report to ADD for the P&A describing how any funds authorized under HAVA were used with regard to the seven (7) areas during the designated period (Fiscal Year 2011).*

The application must be signed by the P&A's Executive Director or the designated representative and contain the following required assurances:

1. Certification Regarding Lobbying

Pursuant to 45 CFR Part 93, the Certification Regarding Lobbying Form (**See Attachment C in Part IV**) must be signed and submitted with the P&A's application/assurances. This Certification is also available at http://www.acf.hhs.gov/grants/grants_resources.html.

If applicable, a Disclosure of Lobbying Activities Form, Standard Form (SF) LLL, disclosing lobbying payments, must also be submitted. The SF-LLL may be found at http://www.acf.hhs.gov/grants/grants_resources.html.

2. Other Certification

The signature on the assurance document by the authorized official attests to the intent to comply with the Certification Regarding Environmental Tobacco Smoke. This Certification may be found at http://www.acf.hhs.gov/grants/grants_resources.html.

Submission by Mail:

Melvenia Wright
U.S. Department of Health and Human Services
Administration for Children and Families
Administration on Developmental Disabilities
370 L'Enfant Promenade, SW.
Aerospace Building 2nd Floor East
Washington, DC 20447

Submission by Hand Delivery:

Melvenia Wright
U.S. Department of Health and Human Services
Administration for Children and Families
Administration on Developmental Disabilities
370 L'Enfant Promenade, SW.
Aerospace Building 2nd Floor East
Washington, DC 20447

PART III: ADDITIONAL INFORMATION

A. CLOSING DATE FOR RECEIPT OF ASSURANCES

Please submit the required assurances by the application due date to the address listed in *Part II* of this FOA. The FY 2011 Assurances for the HAVA may be found in Attachment A in Part IV of this FOA.

Upon receipt of applications and assurances, the award applications will be processed.

B. GRANT ADMINISTRATION REGULATIONS

Federal regulations that govern the administration of these awards will be enumerated in the Terms and Conditions of the award. Awards issued under this announcement are subject to the uniform administrative requirements and cost principles of 45 C.F.R. Part 92 (Grants And Cooperative Agreements To State, Local, And Tribal Governments). The Code of Federal Regulations (C.F.R.) is available at www.gpo.gov/fdsys/.

Direct Federal grants, sub-award funds, or contracts under this ACF program shall not be used to support inherently religious activities such as religious instruction, worship, or proselytization. Therefore, organizations must take steps to separate, in time or location, their inherently religious activities from the services funded under this program. Regulations pertaining to the Equal Treatment for Faith-Based Organizations, which includes the prohibition against Federal funding of inherently religious activities, can be found at: <http://www.gpo.gov/fdsys/>.

A faith-based organization receiving HHS funds retains its independence from Federal, State, and local governments, and may continue to carry out its mission, including the definition, practice, and expression of its religious beliefs. For example, a faith-based organization may use space in its facilities to provide secular programs or services funded with Federal funds without removing religious art, icons, scriptures, or other religious symbols. In addition, a faith-based organization that receives Federal funds retains its authority over its internal governance, and it may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents in accordance with all program requirements, statutes, and other applicable requirements governing the conduct of HHS funded activities.

DUNS Number Requirement

All applicants and sub-recipients must have a DUNS number (Data Universal Numbering System) at the time of application in order to be considered for a grant or cooperative agreement. A DUNS number is required whether an applicant is submitting a paper application or using the Government-wide electronic portal, www.Grants.gov. A DUNS number is required for every application for a new award or renewal/continuation of an award, including applications or plans under formula, entitlement, and block grant programs. A DUNS number may be acquired at no cost online at <http://fedgov.dnb.com/webform>. To acquire a DUNS number by phone, contact the D&B Government Customer Response Center:

U.S. and U.S Virgin Islands: 1-866-705-5711

Alaska and Puerto Rico: 1-800-234-3867 (Select Option 2, then Option 1)

Monday - Friday 7 a.m. to 8 p.m., c.s.t.

The process to request a D-U-N-S® Number by telephone takes between 5 and 10 minutes.

Central Contractor Registration (CCR) Requirement

Effective October 1, 2010, HHS requires all entities that plan to apply for and ultimately receive Federal grant funds from any HHS Operating/Staff Division (OPDIV) or receive subawards directly from recipients of those grant funds to:

- Be registered in the CCR prior to submitting an application of plan;
 - Maintain an active CCR registration with current information at all times during which it has an active award or an application or plan under consideration by an OPDIV; and
 - Provide its DUNS number in each application or plan it submits to the OPDIV.
- An award cannot be made until an applicant has complied with these requirements. At the time an award is ready to be made, if the intended recipient has not complied with these requirements, the OPDIV:

- May determine that the applicant is not qualified to receive an award; and
- May use that determination as a basis for making an award to another applicant.

Additionally, all first-tier subaward recipients (i.e., direct subrecipient) must have a DUNS number at the time the subaward is made

CCR registration may be made online at www.ccr.gov or by phone at 1-866-606-8220.

There is the possibility of heavy traffic at the CCR website at application due dates. Therefore, applicants are strongly encouraged to register at the CCR well in advance of the application due date. CCR registration must be updated annually. CCR registration must be active and maintained with current information at all times during which an organization has an active award or an application under consideration.

C. REPORTING REQUIREMENTS

The P&As will prepare and submit annually a narrative report that describes the activities performed, (e.g., number of individuals served, types of outreach and education, and other information describing work performed with the funds authorized under Section 291 of HAVA, 42 U.S.C. 15461 . The annual narrative report is due December 31 of each year.

Completed narrative reports may be mailed to:

Melvenia Wright

U.S. Department of Health and Human Services

Administration for Children and Families

Administration on Developmental Disabilities

370 L'Enfant Promenade, SW.

Aerospace Building 2nd Floor East

Washington, DC 20447

Expenditures under the HAVA program are to be reported using a Financial Status Report Form (SF-425), which may be found at: http://www.whitehouse.gov/omb/grants_forms/. Grantees also have the option of submitting their financial reports online through the Online Data Collection (OLDC) system. To receive access to electronic financial reporting, please go to http://www.acf.hhs.gov/programs/add/lettersmemos/OLDC_Request_Form.doc and download the OLDC Request for Access form. Upon completion, please return the form via email to Nathaniel.West@acf.hhs.gov.

Grantees are required to submit a final financial report (SF-425) 120 days after the end of each 12 month period (October 1-September 30).

If not filing via OLDC, please submit the original SF-245 to ACF at the address below:

U.S. Department of Health and Human Services
Administration for Children and Families
Office of Grants Management
Division of Mandatory Grants
Attention: Nathaniel West
370 L'Enfant Promenade, SW.
Aerospace Building 6th Floor - East
Washington, DC 20447

Paperwork Reduction Act Disclaimer

As required by the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520, the public reporting burden for information collections in this announcement are estimated to average 20 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection information. The information collections are approved under Office of Management and Budget (OMB) control number 0970-0326, which expires 04/30/2012. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

For further information or inquiries, please contact:

Melvenia Wright
U.S. Department of Health and Human Services
Administration for Children and Families
Administration on Developmental Disabilities
370 L'Enfant Promenade, SW.
Aerospace Building 2nd Floor East
Washington, DC 20447
Office: (202) 690-5557
FAX: (202) 205-8037
E-mail: melvenia.wright@acf.hhs.gov

Date: 7/7/2011

Sharon Lewis
Commissioner
Administration on Developmental Disabilities

PART IV. ATTACHMENTS

Attachment A – FY 2011 Final Allocations

Attachment B – FY 2011 Assurances for the Help America Vote Act

Attachment C – Certification Regarding Lobbying

ATTACHMENT A

FY 2011 ESTIMATED ALLOCATION	
Voting Access for Individuals with Disabilities - Protection and Advocacy Systems	
STATE/TERRITORY	FY 2011 Final
Alabama	\$70,000
Alaska	\$70,000
Arizona	\$71,112
Arkansas	\$70,000
California	\$398,502
Colorado	\$70,000
Connecticut	\$70,000
Delaware	\$70,000
District of Columbia	\$70,000
Florida	\$199,867
Georgia	\$105,974
Hawaii	\$70,000
Idaho	\$70,000
Illinois	\$139,193
Indiana	\$70,000
Iowa	\$70,000
Kansas	\$70,000
Kentucky	\$70,000
Louisiana	\$70,000
Maine	\$70,000
Maryland	\$70,000
Massachusetts	\$71,089
Michigan	\$107,488
Minnesota	\$70,000
Mississippi	\$70,000
Missouri	\$70,000
Montana	\$70,000
Nebraska	\$70,000
Nevada	\$70,000
New Hampshire	\$70,000
New Jersey	\$93,882
New Mexico	\$70,000
New York	\$210,686
North Carolina	\$101,140
North Dakota	\$70,000
Ohio	\$124,447
Oklahoma	\$70,000
Oregon	\$70,000

Pennsylvania	\$135,898
Rhode Island	\$70,000
South Carolina	\$70,000
South Dakota	\$70,000
Tennessee	\$70,000
Texas	\$267,190
Utah	\$70,000
Vermont	\$70,000
Virginia	\$84,986
Washington	\$71,850
West Virginia	\$70,000
Wisconsin	\$70,000
Wyoming	\$70,000
Subtotal	\$4,703,304
American Samoa	\$35,000
Guam	\$35,000
Puerto Rico	\$70,000
Virgin Islands	\$35,000
Subtotal	\$175,000
Total States/Territories	\$4,878,304
Technical Assistance	\$367,184
TOTAL RESOURCES	\$5,245,488

ATTACHMENT B

FY 2011 Assurances for the Help America Vote Act

This is to certify that the undersigned P&A (name/location) _____ agrees to expend the Funds received under this Funding Opportunity Announcement in accordance with Title II, Part 5, Subtitle D, 42 USC 15461 and 15462 of the Help America Vote Act of 2002, Pub.L. 107-252, and all other applicable statutes and regulations.

Protection & Advocacy System

Date

Mail this Assurance to the following address:

Melvenia Wright
U.S. Department of Health and Human Services
Administration for Children and Families
Administration on Developmental Disabilities
370 L'Enfant Promenade, SW
Mail Stop HHH 405-D
Washington, DC 20447
Phone: 202-690-5557

ATTACHMENT C
CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into.

Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, United States Code (U.S.C.). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that: any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S.C. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature _____

Title _____

Organization _____

